

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

United States of America, et al.,)	
)	
)	CASE NO. 4:23CV517
)	
Plaintiff(s),)	JUDGE JOHN R. ADAMS
)	
vs.)	
)	
)	
Norfolk Southern Co., et al.,)	<u>ORDER</u>
)	
)	
Defendant(s).)	

Pending before the Court is the Government’s request that the Court approve a pending proposed Consent Decree. Doc. 162. While that matter has remained pending, numerous entities have reported on circumstances that could conceivably impact the Court’s consideration of the Decree and/or the views of objectors. For example, the Cleveland Plain Dealer reported on a \$10 million research initiative that the National Institute of Health announced to study the long-term health issues resulting from the derailment. The New York Post and News Nation reported that FEMA officials were concerned over a possible cancer cluster and that dioxin testing was done using faulty equipment. These are, of course, not the universe of reporting on the topic because many articles have been written, and much information has brought to light *subsequent* to the lodging of the Consent Decree.

Accordingly, a telephone conference for all counsel is hereby scheduled for July 15, 2025 at 2:00 p.m. Counsel should be prepared to discuss whether the comment period for the proposed Decree should be reopened, whether supplemental briefing is appropriate based on any of the

newly-reported-on information, and a date for a fairness hearing to move this matter forward.

Counsel shall call in to 330-430-8848 and use meeting ID 84568445.

IT IS SO ORDERED.

Date: July 8, 2025

/s/John R. Adams

John R. Adams

U.S. District Judge